

## 1 SENATE BILL NO. 150

2 INTRODUCED BY D. HARGROVE

3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

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5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A CIVIL PENALTY FOR FAILURE TO MARK DYED  
6 DIESEL FUEL PUMPS WITH AN APPROPRIATE DECAL; AND AMENDING SECTION 15-70-371, MCA."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 15-70-371, MCA, is amended to read:

11 **"15-70-371. Marking of dyed diesel fuel pumps. (1)** A fuel pump at a retail motor fuel outlet that  
12 dispenses nontaxed dyed special fuel for off-road use must be identified by a decal designed by the  
13 department and affixed to each side of the fuel pump so as to be easily identified and read by any person  
14 operating the fuel pump.

15 (2) The department may, after giving notice and holding a hearing, if requested, pursuant to Title  
16 2, chapter 4, part 6, impose a civil penalty for failure to mark a dyed fuel pump with the appropriate decal.  
17 The penalty for the first EACH violation is \$100 for each fuel pump, and the penalty for each subsequent  
18 violation is \$500 for each fuel pump."

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